

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number

Q66262

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450 Alexandria, VA 22313-1450

Application Number

09/955,125

Filed

September 19, 2001

First Named Inventor

KOHJI NUMATA

Art Unit

2615

Examiner

Nigar Chowdhury

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

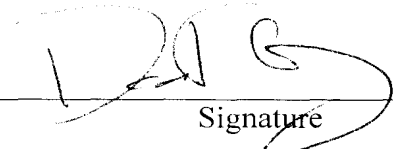
This request is being filed with a notice of appeal

The review is requested for the reasons(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

☒ I am an attorney or agent of record.

Registration number 55,154


 Signature

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March 7, 2007

Date

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q66262

KOHJI NUMATA

Appln. No.: 09/955,125

Group Art Unit: 2615

Confirmation No.: 8416

Examiner: Nigar Chowdhury

Filed: September 19, 2001

For: SYSTEM AND METHOD FOR REPRODUCING MOVING IMAGES

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MAIL STOP AF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the new Pre-Appeal Brief Conference Pilot Program, and further to the Examiner's Final Office Action dated September 8, 2006, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Applicant turns now to the rejections at issue:

Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 6, 11, 16, 21, 26, 31 and 36 as being anticipated by Yokogawa (US 6,463,210). Applicant traverses this rejection for the reasons set forth below.

Yokogawa fails to disclose at least, "acquiring a scanning line value of a display;" and "adjusting a time for a display changeover specification based on the scanning line value," as recited in claim 1.

The Examiner alleges that Yokogawa discloses a scanning line value (*citing* col. 4, lines 15-19) and adjusting a timing for a display changeover specification based on the scanning line value (*citing* col. 3, lines 17-22). The Examiner also contends that Yokogawa discloses a system

clock generating circuit which generates a timing signal to the image data memory. (*Office Action*, p.2).

In contrast, Applicant respectfully submits that Yokogawa is directed to a video disc player for converting an *aspect ratio* which frame sized image portions are converted. There is absolutely no contemplation of using the scanning line value of a display and then adjusting any timing based on this scanning line value. The Examiner appears to reference system clock 12 as somehow providing this timing. However, this clock has no correlation with any display or monitor and, thus, is not inherently adjusted based on the scanning line value of a display.

In particular, FIGS. 1 and 2 fail to show that any scanning line value is received from the monitor. Moreover, no portion of Yokogawa discloses that any scanning line value is received from the monitor.

The Examiner merely points to a clock (clock generating circuit 12) but provides no rationale or disclosure within Yokogawa that relates this in any manner to a scanning line value or a display changeover specification. In fact, the process of Yokogawa is wholly independent of any display or monitor scan line values. Further, Yokogawa fails to disclose any system control of a monitor or display apparatus. Rather, Yokogawa is merely directed to conditioning the image data for future display by providing the proper aspect ratio.

Furthermore, Yokogawa is clearly related to the conversion of an aspect ratio in a frame by frame manner and, while providing the converted image data in a frame by frame manner, discloses nothing in relation to the technique of displaying the image data using a line by line scan.

Thus, Applicant respectfully submits that claim 1 is allowable for at least this reason.

Regarding claims 11, 21 and 31, the Examiner contends that these claims are rejected for the same reasons as claim 1. Likewise, Applicant submits that claims 11, 21 and 31 are allowable, at least, because of the deficiency note above with regard to Yokogawa.

Regarding claim 6, the Examiner alleges that Yokogawa discloses a means for acquiring, when one frame is divided into two half fields for displaying, a display scanning line value and adjusting a timing for display changeover specification to display a half field to be previously displayed.

Again, as discussed above with regard to claim 1, Applicant submits that Yokogawa fails to disclose acquiring a display scanning line value and adjusting the timing of a display changeover specification. Thus, for the same reasons set forth above with regard to claim 1, Applicants submit that claim 6, is allowable over Yokogawa.

Regarding claims 16, 26 and 36, because these claims contain similar undisclosed features, Applicant submits that these claims are allowable for the same reasons noted above.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35 and 37-40 under § 103(a) as being unpatentable over Yokogawa in view of Kato (US 6,396,874). Applicant respectfully traverses this rejection as follows.

The Examiner alleges that Yokogawa teaches or suggests most of the features recited in the rejected claims, but concedes that Yokogawa fails to teach or suggest, at least, a frame buffer, a storage for storing compressed image data in an image compression encoding scheme, a video decoder for reading out compressed image data, an image storage buffer switch for switching between a plurality of buffers, and a display controller for switching between a plurality of buffers to be displayed during a next vertical blanking period, after reception of a display changeover specification. (*Office Action*, p. 5). To compensate for this deficiency, the Examiner

applied Kato alleging that it discloses a frame buffer (FIG. 17, items 43-46), a storage for storing compressed image data (col. 9, lines 30-39), a video decoder (col. 27, lines 10-25), an image storage buffer and a display controller for switching between a plurality of buffers to be displayed during a next vertical blanking period after reception of a display changeover specification (col. 27, lines 26-34) and displaying image on said display.

Applicant submits that Kato, like Yokogawa, is directed to converting image data. More specifically, Kato is directed to decoding data encoded using an MPEG system, which like Yokogawa, uses an image frame approach and does not contemplate a display control using a line by line scan.

Additionally, Applicant submits that because Kato, either alone or in combination with Yokogawa, fails to compensate for the deficiencies of Yokogawa as discussed with regard to claims 1, 6, 11, 16, 21, 26, 31 and 36, that claims 2-3, 7-8, 12-13, 17-18, 22-25, 27-30, 32-35 and 37-40 are allowable at least because of their dependency.

Furthermore, with respect to claim 4, Applicant submit that the applied combination fails to teach or suggest “a timing adjuster that acquires a scanning line value from said display controller and adjusts a timing with which said display changeover specification is issued in accordance with said scanning line value, as recited in claim 4. As discussed above with regard to claim 1, because Yokogawa fails to teach “acquiring a scanning line value of a display;” and “adjusting a time for a display changeover specification based on the scanning line value,” Applicant submits that Yokogawa is deficient in this regard as applied to claim 4, which recites a similar feature. Additionally, because Kato, either alone or in combination with Yokogawa fails to remedy this deficiency, Applicant submits that claim 4 is allowable over the applied combination.

Thus, Applicant respectfully submits that claim 4 is allowable for the reasons set forth above. Additionally, because claims 9, 14 and 19 recite similar features, Applicant submits that these claims are allowable for at least the same reasons. Finally, Applicant submits that claims 10, 15 and 20 are allowable, at least because of their dependency from claims 9, 14 and 19, respectively

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Respectfully submitted,



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Date: March 7, 2007